

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARVIN LEE ROBLES, BB1222,

Plaintiff,

v.

S. POSSON, et al.,

Defendant(s).

Case No. [20-cv-05129-CRB](#) (PR)

**ORDER OF DISMISSAL**

(ECF No. 2)

This civil rights action by a prisoner was filed on July 27, 2020. The court notified plaintiff in writing at that time that the action was deficient because plaintiff did not pay the requisite \$400.00 filing fee or, instead, submit a proper signed and completed court-approved in forma pauperis application. Plaintiff was advised that failure to file the requested items within 28 days would result in dismissal of the action.

On August 5, 2020, plaintiff filed a letter inquiring about his action and purporting to attach a copy of the prisoner's trust account statement for the last six months. It did not.

On August 25, 2020, the court again notified plaintiff that the action was deficient because plaintiff did not pay the requisite \$400.00 filing fee or, instead, submit a proper signed and completed court-approved in forma pauperis application. Plaintiff was advised that failure to file the requested items within 28 days would result in dismissal of the action.

More than 28 days have elapsed; however, plaintiff has not provided the court with the requisite item or sought an extension of time to do so. Plaintiff's improper and incomplete in forma pauperis application (ECF No. 2) is DENIED and the action is DISMISSED without prejudice. The clerk shall close the file.

**IT IS SO ORDERED.**

Dated: October 13, 2020



CHARLES R. BREYER  
United States District Judge